

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 92-193-A

Joseph Austin Wilson, et al.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The petitioners herein request a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) with a height of 17 ft. 2 inches, in lieu of the maximum permitted 15 ft., as more particularly described on Petitioners' Exhibit No. 1.

The petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The petitioners have filed the supporting affidavits as required by Section 46-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of October, 1991 that the Petition for a Zoning Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) with a height of 17 ft. 2 inches, in lieu of the maximum permitted 15 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 10 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

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111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 29, 1991

Mr. and Mrs. Joseph Austin Wilson
507 Old Home Road
Baltimore, Maryland 21206

RE: Petition for Residential Zoning Variance
Case No. 92-193-A

Dear Mr. and Mrs. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-193-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.3 - to allow an accessory structure (detached garage) with a height of 17' 2" in lieu of the maximum permitted 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED HARDSHIP

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Legal Owner(s):

JOSEPH AUSTIN WILSON

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

JOSEPH WILSON

Address

City/State/Zip Code

Name

Address

City/State/Zip Code

Name

Address

City/State/Zip Code

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City/State/Zip Code

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111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 8, 1991

Mr. & Mrs. Joseph A. Wilson
507 Old Home Road
Baltimore, MD 21206

RE: Item No. 211, Case No. 92-193-A
Petitioner: Joseph A. Wilson, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Wilson:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: November 8, 1991
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
25th day of October, 1991.

ARNOLD JABLON
DIRECTOR

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Joseph A. Wilson, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 4, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Bertoldi Property, Item No. 172
Koss Property, Item No. 192
Pitts Property, Item No. 193
Weimer Property, Item No. 196
Frey Property, Item No. 197
Goodwin Property, Item No. 198
Pettit Property, Item No. 199
McQuain Property, Item No. 200
Osment Property, Item No. 201
Shapiro Property, Item No. 203
Chaney Property, Item No. 204
Colleran Property, Item No. 207
Fisher Property, Item No. 208
Wilson Property, Item No. 211

In reference to the petitioners' request, the staff offers
no comments.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/rdn

ITMS172/TXTROZ

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: November 20, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famill

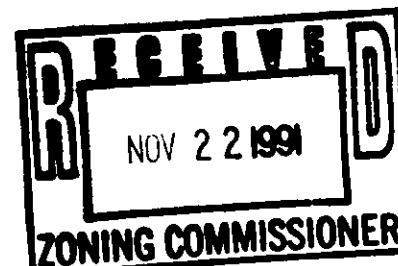
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 5, 1991

This office has no comments for item numbers 201, 203, 204, 205, 206,
207, 208 and 211.

Rahee J. Famill
Traffic Engineer II

RJF/lvd



92-193-A 11/25

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

NOVEMBER 20, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOSEPH AUSTIN WILSON
Location: #507 OLD HOME ROAD

Item No.: 211 Zoning Agenda: NOVEMBER 5, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER:
Planning Group Noted and Approved
Special Inspection Division Fire Prevention Bureau

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 13, 1991
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 5, 1991

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
Items 201, 203, 204, 205, 206, 207, 208, and 209.

For Item 211, the lot dimensions shown on the plat
do not agree with Plat Book 14, Folio 11.

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

BWB:s



111 West Chesapeake Avenue
Towson, MD 21204

October 31, 1991

887-3353

Joseph and Sharon Wilson
507 Old Home Road
Baltimore, Maryland 21206

Re: CASE NUMBER: 92-193-A
LOCATION: E/S Old Home Road, 468' (+/-) S of Meccota Road
507 Old Home Road
14th Election District - 6th Councilmanic

Dear Petitioner(s):

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case
number. Any contact made with this office should reference the case number. This letter also serves as a
reference regarding the administrative process.

1) Your property will be posted on or before November 10, 1991. The closing date is November 25, 1991.
The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the
closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order
will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that
the matter be set in for a public hearing. You will receive written notification as to whether or not your
petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the
Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers.
Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

21
92-193-A

Mrs. Helen Taylor
503 Old Home Road
Baltimore, MD. 21206
October 24, 1991

Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Room 113
Towson, MD. 21204

Dear Sir:

I am writing in reference to a Detached Garage which was erected on the property adjacent to mine known as 507 Old Home Road. I have been made aware by the owners, Joseph and Sharon Wilson that they are in the process of applying for a Baltimore County Zoning Variance.

I am also aware that the Zoning Variance applied for is required because the height of the detached garage exceeds the Baltimore County Zoning requirement of 15 feet.

It is my intention with this letter that you are made aware that the height variance of this garage does not bother me, nor does it block my view of my property from any place in my home. If you have any questions, I can be reached by mail at the address listed above. Thank you for your attention in this matter.

Sincerely,
Mrs. Helen Taylor
Mrs. Helen Taylor

21
92-193-A

Mrs. Virginia Dunlop
509 Old Home Road
Baltimore, MD. 21206
October 24, 1991

Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Room 113
Towson, MD. 21204

Dear Sir:

I am writing in reference to a Detached Garage which was erected on the property adjacent to mine known as 507 Old Home Road. I have been made aware by the owners, Joseph and Sharon Wilson that they are in the process of applying for a Baltimore County Zoning Variance.

I am also aware that the Zoning Variance applied for is required because the height of the detached garage exceeds the Baltimore County Zoning requirement of 15 feet.

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Sincerely,
Mrs. Virginia Dunlop
Mrs. Virginia Dunlop

21
92-193-A

Mrs. Joan Vaught
505 Old Home Road
Baltimore, MD. 21206
October 24, 1991

Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Room 113
Towson, MD. 21204

Dear Sir:

I am writing in reference to a Detached Garage which was erected on the property adjacent to mine known as 507 Old Home Road. I have been made aware by the owners, Joseph and Sharon Wilson that they are in the process of applying for a Baltimore County Zoning Variance.

I am also aware that the Zoning Variance applied for is required because the height of the detached garage exceeds the Baltimore County Zoning requirement of 15 feet.

It is my intention with this letter that you are made aware that the height variance of this garage does not bother me, nor does it block my view of my property from any place in my home. If you have any questions, I can be reached by mail at the address listed above. Thank you for your attention in this matter.

Sincerely,
Mrs. Joan Vaught
Mrs. Joan Vaught

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
PROPERTY ADDRESS: 507 OLD HOME RD.
SUBDIVISION: ELMWOOD
PLAT BOOK # 14 FOLIO # 11 LOT # 92, SECTION #
OWNER: JOSEPH & SHARON WILSON



LOCATION INFORMATION

Councilmanic District: 6TH

Election District: 14TH

1" = 200 SCALE MAP NE SE

ZONING: DR S-S

LOT SIZE: 0.12 ACRES

SQUARE FEET 5250

SEWER: X

WATER: X

CHESAPEAKE BAY CRITICAL AREA YES NO

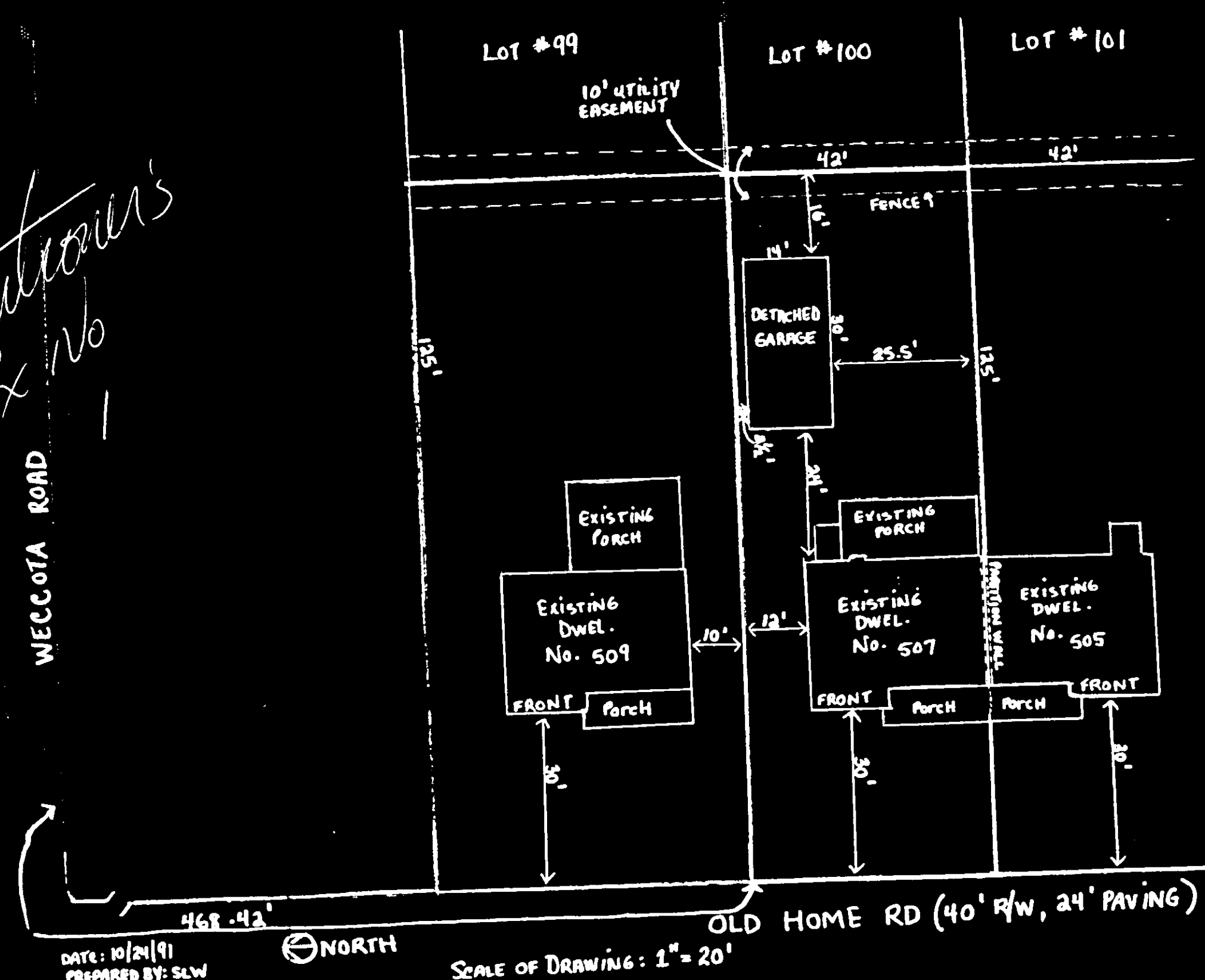
PRIOR ZONING HEARINGS: NONE

ZONING OFFICE USE ONLY!

REVIEWED BY: ITEM # CASE #

2A 211

92-193-A



92-193-A

